

From: Carpenito, Joshua G. (CIV) <Joshua.G.Carpenito@usdoj.gov>
Sent: Thursday, May 1, 2025 2:34 PM
To: Dean, Kevin R. <kdean@motleyrice.com>; Dawn Bell <DBell@belllegalgroup.com>; James Roberts <jimroberts@lewis-roberts.com>
Cc: J Edward Bell <jeb@belllegalgroup.com>; Zina Bash <zina.bash@kellerpostman.com>; Havai, Deanna <dhavai@motleyrice.com>; Baughman, Laura <lbaughman@weitzlux.com>; Devin Bolton - Robin Greenwald <dbolton@weitzlux.com>; Bain, Adam (CIV) <Adam.Bain@usdoj.gov>; Lipscomb, Bridget (CIV) <Bridget.Lipscomb@usdoj.gov>; Ortiz, David R (CIV) <David.R.Ortiz@usdoj.gov>; Mirsky, Sara J. (CIV) <Sara.J.Mirsky@usdoj.gov>; Bu, Nathan J. (CIV) <Nathan.J.Bu@usdoj.gov>; Anwar, Haroon (CIV) <Haroon.Anwar@usdoj.gov>; Morgan Derrick <MDerrick@belllegalgroup.com>
Subject: RE: UST02-0000657182-83

CAUTION:EXTERNAL

Kevin,

The United States has confirmed through internal documentation that Dr. Remy Hennet was retained by the Department of Justice as of February 25, 2005 in *Gros v. United States*, No. CIV.A.H-04-4665 (S.D. Tex.), an action under the Federal Tort Claims Act claiming personal injury as a result of exposure to contaminated water at Camp Lejeune.

Based on this, the United States is willing to stipulate to the following language:

- “The Parties stipulate and agree that Dr. Remy Hennet was retained as an expert by the Department of Justice in Camp Lejeune-related litigation by no later than February 2005.”

Please let us know your position by 12:00pm tomorrow, May 2. If we do not hear from you by then – or if PLG does not agree to the stipulation – we will proceed with filing our position papers with the Court related to the clawed back document.

Best regards,



Joshua Carpenito
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From: Dean, Kevin R. <kdean@motleyrice.com>
Sent: Tuesday, April 29, 2025 5:49 PM
To: Dawn Bell <DBell@belllegalgroup.com>; Carpenito, Joshua G. (CIV) <Joshua.G.Carpenito@usdoj.gov>; James Roberts <jimroberts@lewis-roberts.com>
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I am very sorry for this late notice, but can we do 4pm? I am president elect of the SCAj and a board meeting I must preside over tomm. Truly sorry.



Kevin Dean
Attorney at Law

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Cc: J Edward Bell <jeb@belllegalgroup.com>; Zina Bash <zina.bash@kellerpostman.com>; Havai, Deanna <dhavai@motleyrice.com>; Baughman, Laura <lbaughman@weitzlux.com>; Devin Bolton - Robin Greenwald <dbolton@weitzlux.com>; Bain, Adam (CIV) <Adam.Bain@usdoj.gov>; Lipscomb, Bridget (CIV) <Bridget.Lipscomb@usdoj.gov>; Ortiz, David R (CIV) <David.R.Ortiz@usdoj.gov>; Mirsky, Sara J. (CIV) <Sara.J.Mirsky@usdoj.gov>; Bu, Nathan J. (CIV) <Nathan.J.Bu@usdoj.gov>; Anwar, Haroon (CIV) <Haroon.Anwar@usdoj.gov>; Morgan Derrick <MDerrick@belllegalgroup.com>
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We will send a link to all on this email for 3:30 tomorrow afternoon. Thanks!

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From: Dean, Kevin R. <kdean@motleyrice.com>
Sent: Tuesday, April 29, 2025 5:35:19 PM
To: Carpenito, Joshua G. (CIV) <Joshua.G.Carpenito@usdoj.gov>; Dawn Bell <DBell@belllegalgroup.com>; James Roberts <jimroberts@lewis-roberts.com>
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Subject: Re: UST02-0000657182-83

talk tomorrow



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Kevin,

The United States understood the potential stipulation discussion to concern your contention that Dr. Hennet was working for DOJ in 2005 – the specific purpose you identified during the *in camera* review as the basis for seeking to use the privileged document.

Your most recent request concerning billing records raises a separate issue. The United States intends to produce basic information related to the FTCA litigation to the extent it's available, but as we represented at the status conference, we do not intend to produce detailed invoices for work related to the

FTCA Camp Lejeune litigation. Once you review our information, we can continue to meet and confer to discuss that issue, or you can seek appropriate relief.

Please let us know whether PLG still wishes to proceed with the meet and confer tomorrow. If so, please feel free to send any proposed stipulation language concerning the issue at hand. If not, we will look forward to reviewing your submission to the Court on or before Friday.

Best regards,



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From: Dean, Kevin R. <kdean@motleyrice.com>
Sent: Tuesday, April 29, 2025 11:34 AM
To: Carpenito, Joshua G. (CIV) <Joshua.G.Carpenito@usdoj.gov>; Dawn Bell <DBell@belllegalgroup.com>; James Roberts <jimroberts@lewis-roberts.com>
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thanks, I prefer to wait on the billing records and you answer the question about when he started since the NAVY, GSA or the DOJ paid SSPA between 2002 and november 30, 2005. Then we may be able to propose a stip, but you have the information



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Kevin,

Thank you for your response. During the *in camera* discussion yesterday, the parties referenced the possibility of a stipulation concerning PLG's assertions regarding when Dr. Hennet began his work.

The United States would be interested in reviewing a proposal on that topic in advance of the meet and confer. Please feel free to share any language PLG is considering.

Best regards,



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Sent: Tuesday, April 29, 2025 10:36 AM
To: Dawn Bell <DBell@belllegalgroup.com>; Carpenito, Joshua G. (CIV) <Joshua.G.Carpenito@usdoj.gov>; James Roberts <jimroberts@lewis-roberts.com>

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Joshua,

Nice to see you as well yesterday. I can also be available tomorrow at 330pm. We need to try to resolve this week as I start a 2-week trial in Federal Court in SC on Monday, and will be relocating Friday to trial jurisdiction.

As for a proposal, I really don't have much to offer except a few thoughts, since I don't really understand what specifically in the email you find objectionable and/or protected. However, I would be willing to discuss redactions so that legal counsel not referenced or included in the document like we have done in the past, in exchange for more detailed records relating to billing from SSPA that goes back to the start of any work by SSPA at Camp Lejeune. The Gov has indicated some updated supplemental information is coming, so the soon the better to evaluate how we may be able to reach an amicable resolution. Attached is what I propose at this time.

Look forward to your response and speaking tomorrow. Have a good day.

Kevin



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Roberts <jimroberts@lewis-roberts.com>
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CAUTION:EXTERNAL

All,
Ed is available at 3:30 tomorrow for call.
Thanks,
Dawn



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Dawn J. Bell
Paralegal to J. Edward Bell, III

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Subject: UST02-0000657182-83

Kevin,

It was good seeing you in court yesterday.

As Jim requested, the United States is available tomorrow (4/30) at 9:30am, 12:00pm, or 3:30pm, for one last attempt at resolving the clawback issue. Please send us your proposal prior to the meet and confer, and let us know what time works best for you. I will send around a meeting invite once confirmed.

Best regards,



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